

FISCAL NOTE

HB 3048 - SB 3121

February 17, 2000

SUMMARY OF BILL:

- Authorizes the Department of Safety, Department of Transportation, or local law enforcement agency, as determined by authorized officers or employees of such department or agency, to immediately remove or cause to be removed any wrecked, abandoned, unattended, burned or partially dismantled vehicle, spilled cargo or other personal property from the roadway of a controlled-access highway if the vehicle, cargo or personal property is creating an obstruction or hazard to traffic because of its position in relation to the highway. Such entities shall be held harmless for such removal, except for acts of bad faith. Vehicles, cargo or personal property may be removed to any place within the immediate vicinity without any further action or obligation.
- Specifies the department or agency may require the owner or carrier of the vehicle or personal property that is removed from the highway to pay for any costs incurred in the removal and subsequent disposition of such property.
- Requires after an accident, in which there is no apparent serious personal injury or death, vehicles to be removed from the immediate confines of the roadway into a safe refuge on the shoulder, emergency lane, or median or to a place otherwise removed from the roadway. This is to be done only when moving such a vehicle may be done safely and the vehicle is capable of being normally and safely driven, does not require towing, and may be operated under its own power in its customary manner without further damage or hazard to the vehicle, the traffic elements, or the roadway. Allows the driver of such motor vehicle to request any person who possesses a valid driver license to remove such motor vehicle and allows that person to comply with the driver's request.

ESTIMATED FISCAL IMPACT:

State Expenditures - Net Impact - Not Significant

Local Govt. Expenditures - Net Impact - Not Significant

Estimate assumes most costs incurred by the Department of Safety, Department of Transportation, or local law enforcement agencies to move vehicles obstructing the roadway would be billed to and paid for by the owners of such vehicles.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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